

Nays—9.

Davidson.
Grinnan.
Lloyd.
Miller.
Morris.

Ross.
Terrell.
Wayland.
Yett.

Absent.

Gough.
Johnson.
Lewis.
McGee.
Odell.

Potter.
Stafford.
Stone.
Yantis.

Absent—Excused.

Neal.

Sebastian.

EIGHTY-NINTH DAY.

Senate Chamber,

Austin, Texas, Monday, May 22, 1899.

Senate met pursuant to adjournment.

Lieutenant-Governor Browning in the chair.

Roll called. Quorum present, the following Senators answering to their names:

Atlee.
Burns.
Davidson.
Dibrell.
Gough.
Greer.
Grinnan.
Hanger.
James.
Johnson.
Kerr.

Lewis.
Lloyd.
McGee.
Miller.
Morris.
Patterson.
Stafford.
Terrell.
Turney.
Wayland.

Absent.

Goss.
Linn.
Neal.
Odell.
Potter.

Ross.
Stone.
Yantis.
Yett.

Absent—Excused.

Sebastian.

Prayer by the Chaplain, Rev. Dr. Denson.

Pending the reading of the Journal of last Friday,

On motion of Senator Stafford, the same was dispensed with.

EXCUSED.

On motion of Senator Gough, Senator Atlee was excused for non-attendance on Thursday and Friday of last week on account of important business.

COMMITTEE REPORTS.

Committee Room,

Austin, Texas, May 16, 1899.

Hon. Jas. N. Browning, President of the Senate.

SIR: Your Committee on Engrossed

Bills have carefully examined and compared

Senate bill No. 357, being a bill to be entitled "An Act to amend Article 3433, of the Revised Statutes of the State of Texas of 1895, relating to the organization of militia,"

And find the same correctly engrossed.
JAMES, Chairman.

Committee Room,

Austin, Texas, May 16, 1899.

Hon. Jas. N. Browning, President of the Senate.

SIR: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 21, being a bill to be entitled "An Act to prohibit attorneys at law from becoming sureties on bail bonds and recognizances, and providing a penalty for the violation of the provisions of this act,"

And find the same correctly engrossed.
JAMES, Chairman.

Committee Room,

Austin, Texas, May 16, 1899.

Hon. Jas. N. Browning, President of the Senate.

SIR: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 104, being a bill to be entitled "An Act to authorize the Superintendent of Public Buildings and Grounds to construct a postoffice in the capitol for the use of the Legislature, and making appropriation therefor,"

And find the same correctly engrossed.
JAMES, Chairman.

Committee Room,

Austin, Texas, May 19, 1899.

Hon. Jas. N. Browning, President of the Senate.

SIR: Your Committee on Public Roads, Bridges and Ferries, to whom was referred

House bill No. 824, being a bill to be entitled "An Act to amend Article 4785a, Chapter 6, Title XCVII, of the Revised Civil Statutes of the State of Texas,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it *do pass*.

STAFFORD, Acting Chairman.

Committee Room,

Austin, Texas, May 22, 1899.

Hon. Jas. N. Browning, President of the Senate.

SIR: Your Committee on Towns and City Corporations, to whom was referred

Senate bill No. 362, being a bill to be entitled "An Act to repeal an act of the present Legislature, entitled "An Act to consolidate Soule University of Chappell Hill, Washington county, Texas, and Chappell Hill Female College of the same place, under the name of the Chappell Hill Female College, and to incorporate Chappell Hill Female College, and define its powers and duties, and declaring an emergency,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it *do pass*.

Floor report—Atlee, Burns, James, Miller and Stafford.

MILLER, Chairman.

Committee Room,
Austin, Texas, May 19, 1899.

Hon. Jas. N. Browning, President of the Senate.

SIR: Your Committee on Educational Affairs, to whom was referred

House bill No. 483, being a bill to be entitled "An Act to amend Article 3938, Chapter 10, Title LXXXVI, of the Revised Civil Statutes of the State of Texas of 1895, relating to school districts,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it *do pass*.

PATTERSON, Acting Chairman.

Committee Room,
Austin, Texas, May 22, 1899.

Hon. Jas. N. Browning, President of the Senate.

SIR: Your Committee on Mining and Irrigation, to whom was referred

House bill No. 584, being a bill to be entitled "An Act to amend Section 18, Chapter 77, of the Acts of the Twenty-fifth Legislature of the State of Texas of 1895, relating to the construction and maintenance of drains, ditches and water courses, and for the improvement and enlargement of natural drainage, etc.,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it *do pass*, and that the bill be not printed.

GREER, Chairman.

BILLS AND RESOLUTIONS.

By Senator Miller:

Senate bill No. 362, A bill to be entitled "An Act to repeal an act of the present Legislature, entitled 'An Act to consolidate Soule University of Chappell Hill, Washington county, Texas, and Chappell Hill Female College of the same place,

under the name of Chappell Hill Female College, and to incorporate Chappell Hill Female College, and defining its powers and duties, and declaring an emergency."

Read first time, and referred to the Committee on Towns and City Corporations.

By Senator Terrell:

Whereas, The Senate, by resolution already adopted, has ordered the Calendar Clerk to deliver to the Secretary of the Senate, upon the adjournment of the Legislature, all the bills, resolutions, books, papers, etc., remaining in his possession, for delivery to the Secretary of State; and

Whereas, For the proper discharge of such duty it will be necessary for the Calendar Clerk to remain after the close of the session; therefore, be it

Resolved, That the Calendar Clerk, Fount Ray, be retained after adjournment for the period of ten days at five dollars per day, to check up, index and arrange such bills, resolutions, books and other documents as may remain in his possession, and deliver the same to the Secretary of the Senate; the same to be paid out of the appropriation for the per diem pay of members, officers, clerks and employes, as provided for in the above mentioned resolution.

The resolution was read, and adopted.
Call concluded.

On motion of Senator Stafford, the regular order of business was suspended to take up, on second reading,

House bill No. 826, A bill to be entitled "An Act to make it a penal offense for any person to alter, change, destroy or mutilate any public record or documents authorized, required or permitted by law to be kept by any officer within this State, and to fix the punishment therefor."

The bill was read a second time, and passed to a third reading.

On motion of Senator Miller, the regular order of business was suspended to take up, on third reading,

Senate bill No. 360, A bill to be entitled "An Act to amend Article 386c, Title XVIII, Chapter 1, of the Revised Civil Statutes of the State of Texas, 1895, relating to validating certain incorporations of cities and towns."

The bill was read a third time, and passed by the following vote:

Yeas—21.

Atlee.
Burns.
Davidson.
Dibrell.
Gough.
Greer.

Grinnan.
Hanger.
James.
Johnson.
Kerr.
Lewis.

Lloyd.	Stafford.
McGee.	Terrell.
Miller.	Turney.
Morriss.	Wayland.
Patterson.	

Absent.

Goss.	Ross.
Linn.	Stone.
Neal.	Yantis.
Odell.	Yett.
Potter.	

Absent—Excused.

Sebastian.

Senator Miller moved to reconsider the vote by which the bill was passed, and to lay that motion on the table.

Tabled.

On motion of Senator Terrell, the regular order of business was suspended to take up, on second reading,

House Concurrent Resolution No. 26, relating to the establishment of a University for the colored race.

The resolution was read a second time, and adopted.

On motion of Senator Burns, the regular order of business was suspended to take up, on second reading,

House bill No. 827, A bill to be entitled "An Act to amend Section 40, of an act entitled 'An Act to provide a charter for the city of Houston, Harris county, Texas,' the same being Chapter 7, of the Special Acts of the Regular Session of the Twenty-fifth Legislature, and to add thereto Section 40a, authorizing the creation of the office of boiler inspector, and Section 40b, empowering the city council to provide for refunding money heretofore paid for paving assessments under the front foot rule heretofore existing, and to repeal all laws and parts of laws in conflict herewith."

The bill was read a second time.

By Senator Burns:

"Amend Section 40, page 8, line 15, of the House engrossed bill, by striking out the word 'which' and inserting after the words 'city of Houston,' in said line 15, the following: 'Whether said suit has been heretofore or.'"

Adopted.

By Senator Burns:

"Amend Section 40, page 9, line 8, engrossed bill, by striking out the words 'thirty days' and inserting after the word 'within' the following, to wit: 'Two years, as provided by the General Laws of Texas,'"

Adopted.

The bill as amended was passed to a third reading.

CALLED UP FOR CONCURRENCE.

Senator Lloyd called up

Senate bill No. 290, A bill to be entitled "An Act to amend Article 4968 (4584), Title CII, Chapter 4, of the Revised Statutes of 1895, relating to estrays," which had passed the House with amendments, and moved that the Senate concur in said amendments.

Concurred.

Senator Davidson called up

Senate bill No. 348, A bill to be entitled "An Act to amend Articles 2509, 2510, 2514, 2516, 2517, 2518c, 2518h, 2518k, 2518l, 2518m, 2518n, of Chapter 4, Title XLVIII, of the Revised Civil Code of the State of Texas of 1895, and adding thereto Articles 2518q, 2518r, 2518s, 2518t, to said Chapter 4, Title LXVIII, of the Revised Civil Code of the State of Texas of 1895, relating to fish, oysters, etc., and repealing all laws in conflict herewith," which had passed the House with amendments, and moved that the Senate concur in said amendments.

Concurred.

Senator Davidson moved to reconsider the vote by which the Senate concurred, and to lay that motion on the table.

Carried.

On motion of Senator Stafford, the regular order of business was suspended to take up, on second reading,

Senate bill No. 356, A bill to be entitled "An Act to provide for the erection of monuments in the State cemetery at Austin, Texas, to the memory of Sam Houston and Albert Sidney Johnston, patriots, and making an appropriation therefor."

The bill was read a second time, and ordered engrossed.

On motion of Senator Stafford, the constitutional rule requiring bills to be read on three several days was suspended, and the bill put upon its third reading and final passage by the following vote:

Yeas—21.

Atlee.	Lewis.
Burns.	Lloyd.
Davidson.	McGee.
Dibrell.	Miller.
Gough.	Morriss.
Greer.	Patterson.
Grinnan.	Stafford.
Hanger.	Terrell.
James.	Turney.
Johnson.	Wayland.
Kerr.	

Absent.

Goss.	Odell.
Linn.	Potter.
Neal.	Ross.

Stone. Yett.
Yantis.

Absent—Excused.

Sebastian.

The bill was read a third time, and passed.

On motion of Senator Burns, the constitutional rule requiring bills to be read on three several days was suspended, and House bill No. 827 (see above) was put upon its third reading and final passage by the following vote:

Yeas—21.

Atlee.	Lewis.
Burns.	Lloyd.
Davidson.	McGee.
Dibrell.	Miller.
Gough.	Morriss.
Greer.	Patterson.
Grinnan.	Stafford.
Hanger.	Terrell.
James.	Turney.
Johnson.	Wayland.
Kerr.	

Absent.

Goss.	Ross.
Linn.	Stone.
Neal.	Yantis.
Odell.	Yett.
Potter.	

Absent—Excused.

Sebastian.

The bill was then read a third time, and passed by the following vote:

Yeas—21.

Atlee.	Lewis.
Burns.	Lloyd.
Davidson.	McGee.
Dibrell.	Miller.
Gough.	Morriss.
Greer.	Patterson.
Grinnan.	Stafford.
Hanger.	Terrell.
James.	Turney.
Johnson.	Wayland.
Kerr.	

Absent.

Goss.	Ross.
Linn.	Stone.
Neal.	Yantis.
Odell.	Yett.
Potter.	

Absent—Excused.

Sebastian.

EXECUTIVE MESSAGE.

The following message from the Governor was received:

To the Honorable, the Senate.

The advice and consent of the Senate

is asked to the following additional appointments as notaries public:

HOOD COUNTY.

Granbury—H. K. Faulkner.

JEFFERSON COUNTY.

Beaumont—R. D. Simonton, Jr.

LAMAR COUNTY.

Chicot—J. W. Pennington.
Direct—Gus Bateman.

GALVESTON COUNTY.

Galveston—J. P. Johnson.

DALLAS COUNTY.

Dallas—Charles W. Boyer.

MILAM COUNTY.

Minerva—Terrell W. Aycock.
Tracy—W. O. Sanders.
Cameron—T. S. Williams.

TOM GREEN COUNTY.

San Angelo—A. R. Burges, John O. K. White.

Christopher P. O.—John Kingan.

KIMBLE COUNTY.

London P. O.—J. T. Dailey.

DENTON COUNTY.

Denton—L. Fulton, J. N. Blewitt, H. C. Ferguson, J. W. Sullivan, F. F. Hill.
Lewisville—J. M. Fox.
Bartonville—J. H. Degan.

CROSBY COUNTY.

Emma—A. B. Murray.

NAVARRO COUNTY.

Emmet—A. W. Howell.

JOSEPH D. SAYERS,
Governor.

On motion of Senator McGee, the regular order of business was suspended to take up, on second reading,

Senate bill No. 121, A bill to be entitled "An Act to amend Article 41, of Chapter 3, Title I, of the Penal Code of the State of Texas, relating to the defense of intoxication or temporary insanity of the mind produced by the voluntary recent use of ardent spirits, cocaine, morphine, or any other drug or poisonous compound, and providing that intoxication or temporary insanity produced by voluntary recent use of ardent spirits, cocaine, morphine or other drug or poisonous compound shall not constitute an excuse in this State for the commission

of crime, and providing that evidence of temporary insanity or intoxication produced by such use of ardent spirits, cocaine, morphine or other drug or poisonous compound may be introduced by the defendant in any criminal prosecution in mitigation of the penalty attached to the offense for which he is being tried, and directing the judges in district and county courts to charge the jury in proper cases in accordance with the provisions of this law."

The bill was read a second time, with committee amendment.

Committee amendment adopted.

By Senator McGee:

"Amend by inserting the words 'temporary insanity produced by' after the words 'but evidence of,' in line 26, Section 1, page 1, and by striking out the words 'or temporary insanity,' in line 25, Section 1, page 1."

Adopted.

The bill as amended was ordered engrossed.

BILLS SIGNED.

The Chair gave notice of signing, and did sign, in the presence of the Senate, after their captions had been read,

Senate bill No. 330, "An Act to grant leave to G. W. Burkitt of Anderson county, Texas, to bring suit against the State to redeem from forfeiture and resale Section No. 58, Block "H," W. & N. W. R. R. Co. survey of land, Abstract No. 852, in Hardeman county, Texas."

Senate bill No. 92, "An Act to amend Article 3893, Chapter 6, Title LXXXVI, of the Revised Civil Statutes of the State of Texas, 1895, relating to the investment of the permanent school funds of the State of Texas in county bonds."

HOUSE MESSAGE.

The following message from the House was received:

Hall of the House of Representatives,
Austin, Texas, May 22, 1899.

Hon. Jas. N. Browning, President of the Senate.

I am directed by the House to inform the Senate of the passage of the following bill:

House bill No. 291, A bill to be entitled "An Act to amend Chapter 6, Title XVII, of the Penal Code of the State of Texas, by adding thereto Articles 839a, 845a, 845b and 845c, defining and punishing the crime of burglary of a private residence at night."

Also the House has adopted the report

of the Free Conference Committee on Senate bill No. 323.

Respectfully,

LEE J. ROUNTREE,

Chief Clerk House of Representatives.

IN SENATE.

The above reported House bill No. 291 was read first time, and referred to Judiciary Committee No. 2.

On motion of Senator Davidson, the regular order of business was suspended to take up, on second reading,

House bill No. 584, A bill to be entitled "An Act to amend Section 18, Chapter 77, of the Acts of the Twenty-fifth Legislature of the State of Texas of 1895, relating to the construction and maintenance of drains, ditches and water courses, and for the improvement and enlargement of natural drainage, etc."

The bill was read a second time, and passed to a third reading.

CALLED UP FOR CONCURRENCE.

Senator Morriss called up

Senate bill No. 81, A bill to be entitled "An Act for the promotion of medical science by the distribution and use of unclaimed human bodies for scientific purposes through a board created for that purpose, and to prevent unauthorized uses and traffic in human bodies, and to legalize dissections by authorized persons," which had passed the House with amendments, and moved that the Senate concur in said amendments.

Concurred.

On motion of Senator Stafford, the regular order of business was suspended to take up, on third reading,

House bill No. 817, A bill to be entitled "An Act to amend an act known as House bill No. 444, enacted by the Twenty-sixth Legislature, creating a more efficient system of public roads and bridges for Liberty county, providing for the issuance of bonds by said county for the purpose of constructing permanent public roads; to authorize the investment of the permanent school funds of the State and of said county in such bonds; to prescribe and define the powers and duties of the commissioners court in reference thereto, and to validate public roads heretofore laid out and established in said county."

The bill was read a third time, and passed.

RECOMMITTED.

On motion of Senator Morriss

House bill No. 572, A bill to be entitled "An Act to amend Article 148, Chapter 2, Revised Statutes of the State of Texas, relative to the payment for construction

or improvement of State asylums," was withdrawn from the Committee on State Affairs and referred to Judiciary Committee No. 1.

Senator Gough called up from the table House bill No. 323 (industrial school bill), action being on the motion for the previous question on the passage of the bill.

Pending action, Senator Hanger moved a call of the Senate, which was ordered, the following Senators answering to their names:

Burns.	Lewis.
Davidson.	Lloyd.
Gough.	Miller.
Greer.	Morriss.
Grinnan.	Stafford.
Hanger.	Terrell.
Johnson.	Wayland.
Kerr.	

Absent.

Atlee.	Patterson.
Dibrell.	Potter.
Goss.	Ross.
James.	Stone.
Linn.	Turney.
McGee.	Yantis.
Neal.	Yett.
Odell.	

Absent—Excused.

Sebastian.

No quorum.

On motion of Senator Greer, the Senate adjourned until 3 p. m.

AFTERNOON SESSION.

Senate met pursuant to adjournment. Lieutenant-Governor Browning in the chair.

Roll called. No quorum, the following Senators answering to their names:

Atlee.	Lewis.
Burns.	Lloyd.
Davidson.	McGee.
Dibrell.	Miller.
Greer.	Morriss.
Grinnan.	Patterson.
Hanger.	Stafford.
James.	Terrell.
Johnson.	Turney.
Kerr.	Wayland.

Absent.

Goss.	Potter.
Gough.	Ross.
Linn.	Stone.
Neal.	Yantis.
Odell.	Yett.

Absent—Excused.

Sebastian.

Senator Morriss moved a call of the Senate, which was ordered, the following Senators answering to their names:

Atlee.	Lewis.
Burns.	Lloyd.
Davidson.	McGee.
Dibrell.	Miller.
Greer.	Morriss.
Grinnan.	Patterson.
Hanger.	Stafford.
James.	Turney.
Kerr.	Wayland.

Absent.

Goss.	Potter.
Gough.	Ross.
Johnson.	Stone.
Linn.	Terrell.
Neal.	Yantis.
Odell.	Yett.

Absent—Excused.

Sebastian.

No quorum.

(Senator McGee in the chair.)

Senator Hanger moved to adjourn until 10 a. m. tomorrow.

Lost by the following vote:

Yeas—2.

Burns.	Hanger.
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Nays—10.

Atlee.	McGee.
Davidson.	Miller.
Greer.	Morriss.
Grinnan.	Stafford.
Lloyd.	Terrell.

Absent.

Dibrell.	Odell.
Goss.	Patterson.
Gough.	Potter.
James.	Ross.
Johnson.	Stone.
Kerr.	Turney.
Lewis.	Wayland.
Linn.	Yantis.
Neal.	Yett.

Absent—Excused.

Sebastian.

Senator Miller moved that the Sergeant-at-Arms be instructed to wire all absent unexcused Senators to return immediately.

So ordered.

Senators Terrell, Stone, Gough and Ross were announced present.

Quorum announced present.

(Lieutenant-Governor Browning in the chair.)

COMMITTEE REPORTS.

Committee Room,
Austin, Texas, May 22, 1899.

Hon. Jas. N. Browning, President of the Senate.

SIR: Your Judiciary Committee No. 2, to whom was referred

House bill No. 291, being a bill to be entitled "An Act to amend Chapter 6, Title XVII, of the Penal Code of the State of Texas, by adding thereto Articles 839a, 845a, 845b and 845c, defining and punishing the crime of burglary of a private residence at night,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it *do* pass.

Floor report—Terrell, Greer, Miller, Davidson and Grinnan.

DAVIDSON, Acting Chairman.

Committee Room,
Austin, Texas, May 22, 1899.

Hon. Jas. N. Browning, President of the Senate.

SIR: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 121, being a bill to be entitled "An Act to amend Article 41, of Chapter 3, Title I, of the Penal Code of the State of Texas, relating to the defense of intoxication or temporary insanity of the mind produced by the voluntary recent use of ardent spirits, cocaine, morphine or any other drug or poisonous compound, and providing that intoxication or temporary insanity produced by voluntary recent use of ardent spirits, cocaine, morphine or other drug or poisonous compound shall not constitute an excuse in this State for the commission of crime, and providing that evidence of temporary insanity or intoxication produced by such use of ardent spirits, cocaine, morphine or other drug or poisonous compound may be introduced by the defendant in any criminal prosecution in mitigation of the penalty attached to the offense for which he is being tried, and directing the judges in district and county courts to charge the jury in proper cases in accordance with the provisions of this law,"

And find the same correctly engrossed.

JAMES, Chairman.

Committee Room,
Austin, Texas, May 22, 1899.

Hon. Jas. N. Browning, President of the Senate.

SIR: Your Committee on Engrossed

Bills have carefully examined and compared

Senate bill No. 356, being a bill to be entitled "An Act to provide for the erection of monuments in the State cemetery at Austin, Texas, to the memory of Sam Houston and Albert Sidney Johnston, patriots, and making an appropriation therefor,"

And find the same correctly engrossed.

JAMES, Chairman.

Committee Room,
Austin, Texas, May 22, 1899.

Hon. Jas. N. Browning, President of the Senate.

SIR: Your Committee on Internal Improvements, to whom was referred

House bill No. 703, being a bill to be entitled "An Act to amend Section 1 of an act of the Twenty-fifth Legislature of the State of Texas, approved April 5, 1897, to enable the Railroad Commission of Texas to make emergency freight rates to prevent the evil effects of interstate rate wars upon the business and interests of the people and railroads of this State,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it *do* pass.

STAFFORD, Chairman.

Committee Room,
Austin, Texas, May 18, 1899.

Hon. Jas. N. Browning, President of the Senate.

SIR: Your Committee on Enrolled Bills have carefully examined and compared

Senate bill No. 344, being a bill to be entitled "An Act to authorize the issuance of patents to lands, which, under the ruling of the Land Office and the decisions of the courts, belong to the public school fund of the State and which may have been applied for and purchased as public domain under the provisions of Title LXXXVII, Chapter 11, of the Revised Civil Statutes of the State of Texas of 1895, prior to May 23, 1898; and to provide for the disposition of the proceeds, and to declare an emergency,"

And find the same correctly enrolled, and have this day, at 5 p. m., presented the same to the Governor for his approval.

GRINNAN, Chairman.

Committee Room,
Austin, Texas, May 22, 1899.

Hon. Jas. N. Browning, President of the Senate.

SIR: Your Committee on State Asylums, to whom was referred

House bill No. 713, being a bill to be entitled "An Act to amend Article 166 and Article 170, Chapter 2, Title IX, of the Revised Civil Statutes of the State of Texas,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it *do pass*.

Floor report—Morriss, Stone, Johnson, Ross and Lewis.

MORRISS, Chairman.

Committee Room,
Austin, Texas, May 19, 1899.

Hon. Jas. N. Browning, President of the Senate, and Hon. J. S. Sherrill, Speaker of the House of Representatives.

SIRS: We, your Free Conference Committee, to whom was referred the differences between the House and the Senate on the matter of House amendments to Senate bill No. 187, beg leave to report that we recommend that the House recede from all of its amendments.

The committee further recommends that Section 7 of the bill be amended so as to hereafter read as follows:

"Section 7. No promissory note or other instrument of writing, which is the evidence of a debt that is wholly or partially secured by land or personal property situated in this State, shall be taxed for any purpose in this State, unless the same is of greater cash value than such security, but in such cases the lien shall be taxed to the value of the property, and in such case, the value of the note over and above the value of such security shall be taxed as any other debt, not secured by land or personal property, under the law in this State."

The committee further recommends that Section 8 be amended by striking out the word "security," in line 27, page 3, of the House's printed bill, and insert in lieu thereof the word "lien."

The committee further recommends that another section be added to the bill, said section to follow Section 8, and be designated as Section 9, and shall read as follows:

"Section 9. It shall be the duty of the assessor of taxes in each county of this State to assess all liens, mortgages, bonds, notes and other evidences of debt, secured by deed of trust, lien or mortgage and of record in the office of the county clerk of his county, and list the same for taxation against the beneficiary under such lien, deed of trust, mortgage, bond or note; and such assessment shall be collected by the tax collector of each county from such beneficiary. And no sale, judicial or otherwise, under such

mortgage, lien or deed of trust shall be valid unless such taxes have been paid each year, as is required of other property. All vendor's liens and mortgage notes shall be rendered for taxes in the county in which the property is situated, to which such notes refer; and all bonds shall be rendered for taxes in the county in which they were issued."

The committee further recommends that the section numbered "10" in the printed bill, be numbered "11" to conform to the changes herein made.

The committee further recommends that the word "personal" be inserted in the printed bill wherever necessary to make the securities herein taxed apply to liens on personal property, as well as on land.

The committee further recommends for the purpose of correcting the bill, that the following words be inserted therein, to wit:

On page 2, after the word "or," in line 7, insert the words "appears as," and strike out the words "as an."

On same page insert in line 11, after the word "State" the words "are recorded."

On same page, line 12, after the word "but" insert the word "which," and in same line strike out the words "shall be."

On page 2, line 22, after the word "property" insert the words "are recorded."

Respectfully submitted,
GRINNAN,
DIBRELL,
DAVIDSON,
PATTERSON,
JAMES,

On the part of the Senate.

SCHLUTER,
ALLEN of Hopkins,
SUTHERLAND,
LILLARD,
PALMER,

On the part of the House.

BILL AND RESOLUTION SIGNED.

The Chair gave notice of signing, and did sign, in the presence of the Senate, after their captions had been read,

Senate bill No. 290, "An Act to amend Article 4968 (4584), Title CII, Chapter 4, of the Revised Statutes of 1895, relating to estrays."

Senate Concurrent Resolution No. 4, A resolution petitioning the Congress of the United States of America to call a convention to propose amendments to Constitution of the United States.

HOUSE MESSAGE.

The following message was received from the House:

Hall of the House of Representatives,
Austin, Texas, May 22, 1899.

Hon. Jas. N. Browning, President of the Senate.

I am directed by the House to inform the Senate of the passage of the following bills:

House bill No. 517, A bill to be entitled "An Act granting permission to W. H. Owen to bring suit against the State of Texas in the District Court of Travis county to ascertain and determine the amount, if any, due him for allowance as quartermaster and commissary of the frontier battalion from the 1st day of April, 1895, to the 1st day of February, 1899, for his traveling and other contingent expenses."

Also House bill No. 135, A bill to be entitled "An Act to amend Article 788, Chapter 3, of the Penal Code of the State of Texas, relating to the use of animals without the consent of the owner."

Also House bill No. 845, A bill to be entitled "An Act to amend Article 5318, Title CVIII, of the Revised Civil Statutes of the State of Texas, prescribing penalties against trusts and conspiracies against trade."

Also Senate bill No. 198, A bill to be entitled "An Act to authorize the Railroad Commission of Texas to charge fees for all copies of papers in its office except such as may be furnished to some department of the State government, and to prescribe the amount of such fees," with amendment.

Also House bill No. 357, A bill to be entitled "An Act to amend Article 3905, Title LXXXVI, Chapter 7, of the Revised Civil Statutes of the State of Texas," with amendment.

Also House bill No. 830, A bill to be entitled "An Act to amend Section 12, of Chapter 54, Acts of 1891, special road law for Grayson, Dallas, Galveston, Brown, Comanche, Mills, Fannin, Travis, Hunt, Hill, Kaufman and Fayette counties, authorizing the employment of a county road commissioner, adding thereto the proviso that each county commissioner may qualify and act as road commissioner in his precinct," with amendment.

Respectfully,

LEE J. ROUNTREE,

Chief Clerk House of Representatives.

IN SENATE.

The above reported House bills were read first time, and referred as follows:

House bill No. 517 to Judiciary Committee No. 1.

House bill No. 135 to Judiciary Committee No. 2.

House bill No. 845 to Judiciary Committee No. 2.

House bill No. 357 to the Committee on Education.

House bill No. 830 to the Committee on Roads, Bridges and Ferries.

EXECUTIVE MESSAGE.

The following message from the Governor was received:

EXECUTIVE OFFICE,
STATE OF TEXAS,

Austin, Texas, May 22, 1899.

To the Honorable, the Senate.

The advice and consent of the Senate is requested to the appointment of the following as notaries public:

GALVESTON COUNTY.

Galveston—C. D. Adriance, W. P. Roohm.

DELTA COUNTY.

Cooper—T. L. Stratton, W. L. Gross.

TYLER COUNTY.

Rockland—J. D. Larkin.

AUSTIN COUNTY.

Millheim—B. Siegert.

HARRIS COUNTY.

Houston—Peter G. Rucker.

LEON COUNTY.

Centerville—Lamb Graves.

MONTAGUE COUNTY.

Nocona—T. M. Jones, T. F. Klorwarth.

Bowie—G. F. Thomas.

SMITH COUNTY.

Tyler—Hattie Raguet, A. Tooke.

JOSEPH D. SAYERS,
Governor.

CALLED UP FOR CONCURRENCE.

Senator Davidson called up the Free Conference Committee report on Senate bill No. 323 (anti-trust bill, see Journal of May 19th) and moved its adoption.

Pending action, the following motion was made:

"We move that the report of the Free Conference Committee on Senate bill No. 323 be rejected, and that the said bill be referred back to the same Conference

Committee with instructions to said committee to add to said bill the following amendment, to be Section 15 of the bill:

"Section 15. Provided, that this bill shall not be understood or construed to prevent the organization of laborers for the purpose of maintaining any standard of wages."

[Signed

"HANGER,

"GREER,

"LEWIS."]

Senator Miller moved to lay the above motion on the table.

Carried by the following vote:

Yeas—13.

Atlee.	Lloyd.
Davidson.	McGee.
Dibrell.	Miller.
Gough.	Morriss.
Grinnan.	Terrell.
James.	Wayland.
Kerr.	

Nays—9.

Burns.	Patterson.
Greer.	Ross.
Hanger.	Stafford.
Johnson.	Stone.
Lewis.	

Absent.

Goss.	Potter.
Linn.	Turney.
Neal.	Yantis.
Odell.	Yett.

Absent—Excused.

Sebastian.

The report was adopted by the following vote:

Yeas—15.

Atlee.	Lloyd.
Burns.	McGee.
Davidson.	Miller.
Dibrell.	Morriss.
Gough.	Stafford.
Grinnan.	Terrell.
James.	Wayland.
Kerr.	

Nays—6.

Greer.	Lewis.
Hanger.	Patterson.
Johnson.	Ross.

Absent.

Goss.	Odell.
Linn.	Potter.
Neal.	Yantis.

Absent—Excused.

Sebastian.

PAIRED.

Senator Stone, present, who would vote

nay, with Senator Yett, absent, who would vote *yea*.

Senator Miller moved to reconsider the vote by which the report was adopted, and to lay that motion on the table.

Carried by the following vote:

Yeas—16.

Atlee.	Kerr.
Burns.	Lloyd.
Davidson.	McGee.
Dibrell.	Miller.
Gough.	Morriss.
Grinnan.	Stafford.
James.	Terrell.
Johnson.	Wayland.

Nays—5.

Greer.	Patterson.
Hanger.	Ross.
Lewis.	

Absent.

Goss.	Odell.
Linn.	Turney.
Neal.	Yantis.

Absent—Excused.

Sebastian.

PAIRED.

Senator Stone, present, who would vote nay, with Senator Yett, absent, who would vote *yea*.

REASONS FOR VOTE.

"I vote 'no' on the motion to adopt the Free Conference Committee report on the House amendments to the anti-trust bill because said amendments include labor institutions of our State.

"PATTERSON."

"We vote against the Free Conference Committee report on Senate bill No. 323, it being known as the anti-trust bill, for the following reason:

"We believe that the bill as amended and changed by said report includes within its definition of trusts and monopolies, labor organizations, which are exempted from our present law, and it will therefore, if enforced against them, leave them powerless to protect themselves. We do not believe labor organizations are an evil or a menace to good government, but a necessary means of protection. Therefore, we cannot give to the Free Conference Committee report our support.

[Signed

"HANGER,

"GREER,

"LEWIS."]

On motion of Senator Lewis, the regular order of business was suspended to take up, on second reading,

Senate bill No. 331, A bill to be entitled "An Act defining a further cause of con-

tinuance in civil and criminal cases, and to declare an emergency."

The bill was read a second time, and ordered engrossed.

On motion of Senator Miller, the constitutional rule requiring bills to be read on three several days was suspended, and the bill put upon its third reading and final passage by the following vote:

Yeas—21.

Atlee.	Lewis.
Burns.	Lloyd.
Davidson.	McGee.
Dibrell.	Miller.
Gough.	Morriss.
Greer.	Patterson.
Grinnan.	Stafford.
Hanger.	Stone.
James.	Terrell.
Johnson.	Wayland.
Kerr.	

Nays—1.

Ross.

Absent.

Goss.	Potter.
Linn.	Turney.
Neal.	Yantis.
Odell.	Yett.

Absent—Excused.

Sebastian.

The bill was read a third time, and passed by the following vote:

Yeas—21.

Atlee.	Lewis.
Burns.	Lloyd.
Davidson.	McGee.
Dibrell.	Miller.
Gough.	Morriss.
Greer.	Patterson.
Grinnan.	Ross.
Hanger.	Stafford.
James.	Stone.
Johnson.	Wayland.
Kerr.	

Present—Not voting.

Terrell.

Absent.

Goss.	Potter.
Linn.	Turney.
Neal.	Yantis.
Odell.	Yett.

Absent—Excused.

Sebastian.

Senator Gough called up from the table House bill No. 323 (industrial school bill), action being on the motion for the previous question.

Pending action, Senator Hanger moved a call of the Senate, which was ordered,

65—Senate

the following Senators answering to their names:

Atlee.	Lewis.
Burns.	Lloyd.
Davidson.	McGee.
Dibrell.	Miller.
Gough.	Morriss.
Greer.	Patterson.
Grinnan.	Ross.
Hanger.	Stafford.
James.	Stone.
Johnson.	Terrell.
Kerr.	Wayland.

Absent.

Goss.	Potter.
Linn.	Turney.
Neal.	Yantis.
Odell.	Yett.

Absent—Excused.

Sebastian.

Senator Miller moved to excuse the absentees.

Lost by the following vote (requiring a two-thirds vote):

Yeas—13.

Atlee.	McGee.
Burns.	Miller.
Dibrell.	Stafford.
Gough.	Stone.
James.	Terrell.
Johnson.	Wayland.
Lewis.	

Yeas—9.

Davidson.	Lloyd.
Greer.	Morriss.
Grinnan.	Patterson.
Hanger.	Ross.
Kerr.	

Absent.

Goss.	Potter.
Linn.	Turney.
Neal.	Yantis.
Odell.	Yett.

Absent—Excused.

Sebastian.

Pending business going to the table,

On motion of Senator Patterson, the regular order of business was suspended to take up, on second reading,

Senate bill No. 353, A bill to be entitled "An Act to prohibit gambling in cotton and other agricultural products, to suppress and prevent conspiracies against trade, and to affix penalties upon those who engage therein, or in any manner aid or assist or take any part in procuring or promoting such enterprise."

The bill was read a second time, and ordered engrossed.

Senator Miller moved to excuse the ab-

sentees on House bill No. 323 (industrial school bill).

Lost by the following vote:

Yeas—12.

Burns.	McGee.
Dibrell.	Miller.
Gough.	Stafford.
James.	Stone.
Johnson.	Terrell.
Lewis.	Wayland.

Nays—9.

Davidson.	Lloyd.
Greer.	Morriss.
Grinnan.	Patterson.
Hanger.	Ross.
Kerr.	

Absent.

Atlee.	Potter.
Goss.	Turney.
Linn.	Yantis.
Neal.	Yett.
Odell.	

Absent—Excused.

Sebastian.

(Senator Atlee in the chair.)

On motion of Senator Hanger, the regular order of business was suspended to take up, on third reading,

House bill No. 832, A bill to be entitled "An Act to amend Article 3433, of the Revised Statutes of the State of Texas, of 1895, relating to the organization of militia."

The bill was read a third time, and passed.

On motion of Senator Grinnan, the regular order of business was suspended to take up, on third reading,

House bill No. 790, A bill to be entitled "An Act to render more effective and efficient the present road law of the State of Texas in its application and operation in the county of Calhoun, and to authorize and empower the said county to issue bonds for the construction and maintenance of public roads and highways within the said county."

The bill was read a third time, and passed by the following vote:

Yeas—19.

Atlee.	Kerr.
Burns.	Lewis.
Davidson.	McGee.
Dibrell.	Miller.
Gough.	Morriss.
Greer.	Patterson.
Grinnan.	Stafford.
Hanger.	Stone.
James.	Wayland.
Johnson.	

Nays—2.

Lloyd. Ross.

Absent.

Goss.	Terrell.
Linn.	Turney.
Neal.	Yantis.
Odell.	Yett.
Potter.	

Absent—Excused.

Sebastian.

On motion of Senator Lloyd, the Senate adjourned until 10 a. m. tomorrow.

NINETIETH DAY.

Senate Chamber,

Austin, Texas, Tuesday, May 23, 1899.

Senate met pursuant to adjournment.

Lieutenant-Governor Browning in the chair.

Roll called. No quorum, the following Senators answering to their names:

Burns.	Lloyd.
Davidson.	McGee.
Dibrell.	Miller.
Gough.	Morriss.
Greer.	Patterson.
Grinnan.	Stafford.
Hanger.	Terrell.
James.	Turney.
Johnson.	Wayland.
Kerr.	Yett.

Absent.

Atlee.	Odell.
Goss.	Potter.
Lewis.	Ross.
Linn.	Stone.
Neal.	Yantis.

Absent—Excused.

Sebastian.

Senator Hanger moved a call of the Senate, which was ordered, the following Senators answering to their names:

Burns.	Lloyd.
Davidson.	McGee.
Dibrell.	Miller.
Gough.	Morriss.
Greer.	Patterson.
Grinnan.	Stafford.
Hanger.	Terrell.
James.	Turney.
Johnson.	Wayland.
Kerr.	Yett.

Absent.

Atlee.	Odell.
Goss.	Potter.
Lewis.	Ross.
Linn.	Stone.
Neal.	Yantis.

Absent—Excused.

Sebastian.

No quorum.